

Public Law 116–332
116th Congress

An Act

To authorize the Secretary of State to make direct loans under section 23 of the Arms Export Control Act, and for other purposes.

Jan. 13, 2021
[H.R. 2444]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Eastern European Security Act”.

Eastern
European
Security Act.
22 USC 2763
note.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that it is in the national security interest of the United States to—

- (1) deter aggression against North Atlantic Treaty Organization (NATO) allies by Russia or any other adversary;
- (2) assist NATO allies in acquiring and deploying modern, NATO interoperable military equipment and reducing their dependence on Russian or former Soviet-era defense articles;
- (3) ensure that NATO allies meet alliance defense commitments, including through adequate investments in national defense;
- (4) supplement existing grant assistance to key allies through foreign military financing loans, at rates competitive with those already available on commercial markets, to purchase NATO-interoperable military equipment; and
- (5) work to maintain and strengthen the democratic institutions and practices of all NATO allies, in accordance with the goals of Article 2 of the North Atlantic Treaty.

SEC. 3. FOREIGN MILITARY LOAN AUTHORITY.

(a) **IN GENERAL.**—Beginning in fiscal year 2021, subject to the notification requirements under subsection (b) and to the availability of appropriations, the President, acting through the Secretary of State, is authorized—

Effective date.
President.

(1) to make direct loans under section 23 of the Arms Export Control Act (22 U.S.C. 2763) to NATO member countries that joined the alliance after March 1, 1999, notwithstanding the minimum interest rate required by subsection (c)(1) of such section; and

(2) to charge fees for such loans under paragraph (1), which shall be collected from borrowers in accordance with section 502(7) of the Congressional Budget Act of 1974, and which may be used to cover the costs of such loans as defined in section 502 of the Congressional Budget Act of 1974.

Certification.
Deadline.

(b) NOTIFICATION.—A loan may not be made under the authority provided by subsection (a) unless the Secretary of State submits to the appropriate congressional committees a certification, not fewer than fifteen days before entering into an agreement to make such loan, that—

(1) the recipient country is making demonstrable progress toward meeting its defense spending commitments in accordance with the 2014 NATO Wales Summit Declaration; and

(2) the government of such recipient country is respecting that country's constitution and upholds democratic values such as freedom of religion, freedom of speech, freedom of the press, the rule of law, and the rights of religious minorities.

(c) REPAYMENT.—A loan made under the authority provided by subsection (a) shall be repaid in not more than 12 years, but may include a grace period of up to 1 year on the repayment of the principal.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this Act, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

Approved January 13, 2021.

LEGISLATIVE HISTORY—H.R. 2444:

CONGRESSIONAL RECORD:

Vol. 166 (2020): Mar. 9, considered and passed House.

Vol. 167 (2021): Jan. 1, considered and passed Senate.

